IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of: **Docket No.:** 014835-101.02-029 Conf. No.: Geddes, et al. 6557 Applicants: **Application No.:** 10/536,502 Art Unit: 2858 Examiner Date Filed: 12/14/2005 Angela M Bertagna Title: HIGH SENSITIVITY ASSAYS **Customer No.:** 24239 FOR PATHOGEN **DETECTION USING METAL-ENHANCED FLUORESCENCE**

RESPONSE TO JANUARY 13, 2009 OFFICE ACTION IN U.S. PATENT APPLICATION NO. 10/536,502

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the January 13, 2009 Office Action issued for the above-identified application, applicants submit the following response: